

## Message Text

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73

ACTION L-03

INFO OCT-01 ARA-11 IO-13 ADP-00 CIAE-00 DODE-00 PM-07 H-02

INR-10 NSAE-00 NSC-10 PA-03 RSC-01 PRS-01 SS-15

USIA-12 SY-10 AID-20 OIC-04 RSR-01 /124 W

----- 120949

R 032213 Z JUL 73

FM USMISSION USUN NY

TO SECSTATE WASHDC 8664

INFO AMEMBASSY MEXICO CITY

USMISSION GENEVA

C O N F I D E N T I A L USUN 2470

USMISSION GENEVA FOR STEVENSON

E. O. 11652: GDS

TAGS: PFOR, MX, UN

SUBJECT: PROTECTION OF DIPLOMATS, DRAFT ILC ARTICLES

REF: STATE 127920

1. THERE IS POSSIBLE DANGER IN GONZALEZ GALVEZ SUGGESTIONS  
RE USING ARTICLE 6 OAS CONVENTION APPROACH FOR REASONS OF  
ITS EFFECT ON SUBSTANCE OF CONVENTION ON PROTECTION OF  
DIPLOMATS AS WELL AS DEVELOPING LAW IN OTHER FIELDS.

2. NORMAL WAY FOR CODIFICATION PROCESS TO OPERATE AND THE  
PRACTICE FOLLOWED BY UNGA IN MOST RECENT CASE IT NEGOTIATED  
SPECIAL MISSIONS CONVENTION IN 1968 AND 1969 WAS TO HOLD  
FIRST READING OF THE DRAFT ARTICLES IN THE 6 TH ( LEGAL)  
COMMITTEE AND THEN REFER TO DRAFTING COMITE. BY CONTRAST,  
SUGGESTED MEXICAN APPROACH WOULD SEEM TO PROVIDE LITTLE  
OR NOT DETAILED GUIDANCE TO DRAFTING COMITE. NEVERTHELESS,  
THERE MIGHT BE SOME MERIT IN RECOGNITION THAT PRIMARY INITIAL  
FUNCTION OF THIS DRAFTING COMITE WOULD BE TO PROVIE SMALLER,  
MORE INFORMAL FORUM FOR NEGOTIATION OF BASIC ISSUES.  
THIS COULD BE USEFUL IF DRAFTING COMITE WERE INSTRUCTED  
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REPORT BACK IN VERY BRIEF TIME ( WEEK OR 10 DAYS) RATHER THAN SOME TIME IN NOVEMBER. THE " SOME TIME IN NOVEMBER" APPROACH WOULD TURN IDEA INTO TAILOR- MADE TOOL FOR DELAY BY MAKING IT IMPOSSIBLE FOR 6 TH COMMITTEE TO COMPLETE CPD BEFORE END 28 TH GA IN MID- DECEMBER.

3. RE SIZE OF DRAFTING COMITE, MISSION WOULD NOTE THAT ALL CODIFICATION EXERCISES IN GA IN RECENT YEARS, INCLUDING SPECIAL MISSIONS, HAVE OPERATED WITH 15 MEMBER DRAFTING COMITE. THIS SIZE COMITE OBVIOUSLY MORE EFFICIENT THAN 25. BELIEVE CONSIDERATION SHOULD ALSO BE GIVEN TO WHETHER US WISHES TRY FOR 15 MEMBER DRAFTING COMITE FOR LOS CONFERENCE BEFORE WE INDICATE WILLINGNESS GO ALONG WITH LARGER COMITE IN PROTECTION OF DIPLOMATS CONTEXT.

BENNETT

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NNNNMAFVVZCZ

\*\*\* Current Handling Restrictions \*\*\* n/a

\*\*\* Current Classification \*\*\* CONFIDENTIAL

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**Concepts:**  
**Control Number:** n/a  
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**Draft Date:** 03 JUL 1973  
**Decaption Date:** 01 JAN 1960  
**Decaption Note:**  
**Disposition Action:** RELEASED  
**Disposition Approved on Date:**  
**Disposition Authority:** garlanwa  
**Disposition Case Number:** n/a  
**Disposition Comment:** 25 YEAR REVIEW  
**Disposition Date:** 28 MAY 2004  
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**Disposition History:** n/a  
**Disposition Reason:**  
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